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DISCUSSION
HOUSING REFORM THROUGH LEGISLATION
BY PAUL L. FEISS
MR. ROBERT W. DE FOREST presiding
Saturday evening, June 3, at 8:15 o'clock

THE PRESIDENT:

Some time ago I attended a Connecticut conference of charities in New Haven. Mr. Green there stated very briefly the results of his inspection of a New Haven tenement on the morning of that day, saying definitely that it was built contrary to law, so far as plan was concerned, carried out contrary to law, and was being maintained contrary to law. He simply made that bald statement, and to my amazement no one commented on it. It was plain that in New Haven the law was not being obeyed and that there was no inspection of a proper kind in that city. Mr. Green confined himself simply to that bald statement of facts, and I should like to hear a further explanation of them from him.

MR. DAVID I. GREEN, Secretary Charity Organization Society, Hartford, Conn.:

The Connecticut tenement-house law, which was passed six years ago, was one concerning only new construction. That seemed to be the most promising field and one most easily cultivated, and so we started with that. In progressive cities, growing rapidly, as most Connecticut cities are, we thought if we could cut off the bad conditions in new buildings the most of the old buildings would soon go, and as they were replaced by buildings more properly constructed the conditions would improve rapidly. That has proved to be so. I am sure that while Hartford was given a bad name for its tenements six or seven years ago, at the present time in looking over the city one would declare that the housing conditions were good. In the

establishment and formulation of this law we were careful simply to strike out the bad conditions; we were careful not to ask for more than was actually needed, and in fact to give the builder as much liberty as possible, whether he asked for it or not. We were mindful of the need of tenements and of cheap tenements, and we wished to interfere as little as possible with the building of tenement buildings, but only to insure that proper conditions of light, ventilation and sanitary equipment were available.

The law proved to be thoroughly practical. We were able to cut off without much difficulty whatever opposition arose at the time, appealing to the reasonableness of all the requirements, and in actual application it has been very successful. No opposition has been created and there has been no attempt to do away with the law.

Six years' experience has led us to desire a little more restriction in certain directions, and drawing from that experience we have formulated a long series of amendments which are now before the legislature for action. The proposed amendments have been considered by the legislative committee and given a public hearing. More or less was said about them in the papers, but there was not the slightest opposition and we have every reason to believe that they will go through. I recognize that there are other elements in the housing problem which we might take up with reason. We might try, for example, to do away with the building of tenement houses in the smaller towns. We made no attempt in this direction. Tenement buildings are going up somewhat rapidly, and I would put forth the question whether we want to interfere with the building of tenements if they are properly safeguarded as to light, air and sanitary equipment. It seems to me to be unnecessarily increasing the expense of living if we interfere with congregate building and insist upon the small-house development. It is something like the fact that a separate horse and carriage is much better than the street car, if it can be afforded. It seems to me a question which we need to consider carefully, whether we want to do away altogether with coöperative building. We should like to have the building of single houses encouraged, but question the

propriety of depriving the poorer people of the economic advantage of the congregate system.

In the smaller cities more liberty can be afforded than in a city like New York, where the building is so much heavier, and where the six- and seven-story building is the prevalent one. The percentage of open space need not be so large. We have met that situation by having only the same percentage requirements to start with, and by having increased requirements for court and yard spaces, for increased height of the buildings, so that when it comes to the six- and seven-story building we require much more than the New York law requires, and in fact we restrict the height of those buildings to four stories unless they are equipped with elevators.

Unnecessary restriction upon new building causes the retention of old rookeries, and increases the crowding into existing buildings. We want sufficient restrictions to insure wholesome conditions, but we want sufficient liberty to insure adequate housing for our families.

THE PRESIDENT:

Mr. Green, you spoke of the entire satisfaction given by the law in Connecticut. It would not surprise me that there was no objection to any law that is not enforced. How do you explain the situation? You said in regard to New Haven that there was a considerable lack of approval of building plans, and an absolute lack of supervision or of the carrying out of the proper plans. Is it possible that the law is on the statute books without being enforced?

MR. GREEN:

It seems to me very evident that New Haven is at fault in respect to the enforcement of the law. In Hartford they have been more successful, and I think it was largely because at the start we kept in close touch with the building inspector's office, watched the granting of the permits, and inspected new tenement buildings. It seems to me that this is just what has been lacking in New Haven.

THE PRESIDENT:

Which is typical of the Connecticut situation, the Hartford observance, or the New Haven non-observance?

MR. GREEN:

I fear the New Haven situation is somewhat similar to that in Waterbury and Bridgeport, although I have not come into actual contact with the situation in the other cities. The law is easily enforced. There is no question in my mind about that. It is only a matter of neglect if its provisions are not carried out.

I might say a word further; there has been something said this afternoon about the tenement buildings getting into the hands of foreigners largely. We have frequently found that an advantage, as the foreigners are so near the building situation that they keep better conditions in their houses, but they are much more in need of the educational features of the law. Without a law they would build houses that were not at all satisfactory; the law is of extreme importance with this class of owners.

MR. VEILLER:

May I explain the New Haven situation? The reason the law is not enforced in New Haven is that they have a building inspector, but no clerks and no outside men, and the inspector spends nearly all of his time receiving permits and examining them, and has no time to inspect.

MR. ROBERT E. TODD, Housing Investigator for the White Fund, Lawrence, Mass.:

That is true of the other Connecticut cities. The state law provides, as the New York law provides, for the issuance of certificates, but only one city has issued certificates, and that is New Haven. Yet the certificates are issued without provision for proper inspection. How can one man do all the inspection and all the clerical work necessary to certify that a building has been erected in accordance with the law?

The bureau of statistics of the state has issued tenement-house blanks to the three new cities that have come under the

surveillance of the law by the recent census, and as yet there have been received no returns from the three cities, though such returns are provided for in the law.

MR. VEILLER:

We have in the audience several people who have been through very serious legislative campaigns, some successful and some unsuccessful. If they would tell us frankly of the problems they have encountered, I think we might obtain more from this meeting of the conference than from any other. I see Mrs. Bacon, who has watched two extraordinary fights in Indiana, and I am sure we shall be very glad to hear from her.

MRS. ALBION FELLOWS BACON, Secretary Indiana Housing Association, Evansville, Indiana:

Our first campaign was successful in a way, and really I believe it was because the people were not wide awake. We got the right people awake, the people of intelligence and public spirit, and they put the law through; but it dragged so long that finally one of the members, not so high-minded, woke up and found that his tenements were to be assailed. So he put his foot down on all but two cities, and the bill was allowed to pass as applying to those two cities only.

We thought best not to try any legislation this year, but the architects' association prepared a dreadful bill, bad both in form and in intent. As Mr. Veiller said, you could drive a horse and wagon through every section of it. They said it was going to undo all the evils of the previous law, which meant all its benefits. We sent for Mr. Veiller to meet with us, and Mr. Veiller, in a most remarkable meeting, finally got all the architects eating out of his hand. He prepared a bill to which they agreed. But as soon as he left they began to balk and make objections, and they dragged the thing along so late that when the bill was introduced in the lower house our friends said, "It is too late now. You could not possibly get it through, and we will not let it go any further." So our bill would have been stopped in the committee, but we had a meeting with the committee, whose members were friendly to the bill, and we told

them it must go through. The result was, it was reported favorably out of the committee, and the majority leaders put it through the house, under suspension of the rules, in about five minutes. It was carried by a majority of 88 to 2. The papers said it was a monument to our efforts, but on this monument the senate wrote our epitaph. They let it go through to the last hearing, but on the third reading, on the last night of the session, at the last hour, they changed the vote, when we had a majority, and had carried it. One man was intoxicated and broke his word to us, one of our men went to the play, those who did not want to vote went and hid themselves, or ran out of the doors and bolted. In the closing moments of the closing session our enemies got a man to change his vote, and then hid the roll. It had been ours for an hour, but our enemies would not let the lieutenant governor announce it, so we lost it. We were receiving congratulations, and had the bill all ready for engrossment but we lost it. I believe, though, that like Samson we slew more in our defeat and our death than we did in our life, because our defeat brought the cause so much sympathy. I believe that we are going to win yet. The architects pleaded for the law, and they are very anxious for it, because it is not so strenuous as the other one. And next time, we are going to get it for all the cities in Indiana.

MR. CAROL ARONOVICI, Bureau of Social Research, Providence, R. I.:

Ours is another example of defeat. In Rhode Island we started a campaign a few years ago for a housing commission, but we were told that they had so many commissions drawing salaries, after they were appointed without salaries, that they did not want any more, and they told us to wait. This year we thought we would frame a bill and base it on Mr. Veiller's theories, but our plan was discovered too soon. It was thought that our bill was the New York law and consequently that it should not be adopted in Rhode Island, because anything done in New York was never done by the grandmothers of people in Rhode Island. That is a doctrine that is never departed from. Every bill leading toward more healthy legislation was killed

before it got out of committee, except one small affair, which was granted us simply to show that the legislature is not against reform.

MR. OTTO W. DAVIS, Superintendent, Associated Charities, Columbus, Ohio.

We have not met our defeat yet, but it is prophesied. We shall at least have a chance to keep people interested, because our opponents say they are going to repeal the code which we recently passed. I think that such little success as we have gained is due largely to the fact that we secured the coöperation of a group of people whose influence was very great. For instance, after the first draft of the code had been arranged and had been thoroughly gone over by Mr. Veiller, we submitted it to the architects, whose committee went over it carefully and finally approved it.

We did the same thing with the real-estate men and with the Builders' Exchange. After we succeeded in getting the approval of these three bodies we sought out the Federation of Labor and secured their endorsement. Without going into technical details, we secured the endorsement of a large number of church brotherhoods and similar organizations, and then we went up and stood shoulder to shoulder with a few of the ladies. Our councilmen, according to one of them, "got frightened at the skirts" and passed the whole thing. Now the "skirts" are gone and they are talking of attempting to repeal the law, but we think all that will be necessary to do is to make some little amendments that we expected to have to make before the bill would pass.

MR. BALL:

I do not see why Chicago cannot come in for some congratulations over what has happened in our reform legislation. We have just passed an advanced code, December 5th. The history of it is this, that ten years ago the City Homes Association made an exhaustive study of tenement-house conditions in sixty-four blocks, and there resulted from that study a tenement code which was copied in many respects from the New York code, and which was in operation until the passage of the present code.

For two years past there has been a great deal of discussion about a new building ordinance. Our tenement code in 1905 was amalgamated with the building code, which was undesirable, but could not be helped. Very little attention was given to the tenement features in drafting the new code. On the 27th of June last year, there was sent to the council a code which had been labored over for a year and a half, but which was inconsistent in many features and was objectionable in parts. This was referred to a commission of eight for codification rather than for change of substance.

We were able, working in that commission, to make some definite improvements in the tenement part of the law, and that law is now in effect. With respect to the question of state law versus city ordinance, we have a strong conviction growing out of our knowledge of the situation in Chicago, that for that city at all events the city ordinance is far preferable to the state law; that is, it was clearly brought out in our discussion with the interests that opposed advance in the present code, that there was no question of the stability of the existing ordinance. The only question that came up in connection with our new building code was the question, "Shall we make such and such an advance?" There was no question of staying where we were. That is in very marked contrast with the periodic attacks that have been made by certain interests in New York city upon the state law which has been in force here since 1901.

With respect to the general question of state law and city ordinance, there is one interesting fact which I think it may be worth while to note. We have a comprehensive state factory law in Illinois which distinctly provides that a municipality may, if it cares to do so, pass sanitary provisions superior to those of the state law. It seems to me that it would be wise to encourage such legislation everywhere.